

LELAND A. DINGEE  
President

CHARLES RYAN  
Vice President

HAROLD RANDOLPH  
At Large

CHARLES KOKOROS  
District 1

JOHN MULLANEY  
District 2



THOMAS BOWES  
District 3

HENRY JOYCE  
District 4

RONALD DENAPOLI  
District 5

PAUL "DAN" CLIFFORD  
District 6

## OFFICE OF THE TOWN COUNCIL

October 6, 2009

### MINUTES

A meeting of the Town Council was held in the Horace T. Cahill Auditorium, Braintree Town Hall, on Tuesday, October 6, 2009 beginning at 7:34 p.m.

Council President Dingee was in the chair.

Clerk of the Council, James Casey, conducted the roll call.

Present: Leland A. Dingee, President  
Charles B. Ryan, Vice-President  
Harold Randolph  
Charles Kokoros  
John C. Mullaney (left early 8:34p.m.)  
Thomas Bowes  
Henry N. Joyce  
Ronald DeNapoli  
Paul Dan Clifford

Also Present: Joseph Powers, Town Clerk  
Various Residents

The meeting was opened with the pledge of allegiance and there was a moment of silence for all those serving in our armed services, past and present.

Councilor Ryan motioned that Agenda item 09-051 and 093-09 be taken out of order at the request of Town Clerk Joseph Powers.

**Motion:** by Councilor Ryan to take items 09-051 and 093-09 out of order

**Second:** by Councilor Randolph

**Discussion:** Councilor Kokoros requested that the motion be amended to include Agenda item 096-09.

**Motion:** by Councilor Kokoros to amend Councilor Ryan's motion to include Agenda item 096-09  
**Second:** by Councilor Ryan  
**Vote:** Unanimous

**Motion:** by the Council President on the main motion as amended  
**Second:** by Councilor Randolph  
**Vote:** Unanimous

- **09-051** Town Clerk: Call of the General Town Election, November 3, 2009

Councilor Ryan read into the records Order # 09-051.

**Motion:** by Councilor Ryan to approve as read  
**Second:** by Councilor Randolph  
**Vote:** Unanimous

- **093-09** Town Clerk: Approval of Temporary Casual Employee

The Town Clerk explained that he had secured the services of the recently retired Assistant Town Clerk to assist in the Town Clerk Department during the upcoming November 3<sup>rd</sup> election. He expected a new Assistant Town Clerk would be hired by next month.

**Motion:** by Councilor Ryan to approve temporary help  
**Second:** by Councilor Randolph  
**Vote:** Unanimous

- **096-09** Councilor Kokoros: Town Clerk Starting Grade Level

Councilor Kokoros wanted clarification on the starting grade for the Town Clerk position. He stated the position was posted at a range and wanted to find out from members at what grade the position should start at.

Council President Dingee stated that the position started at a Grade Level A - the same level other positions hired by the Council began at.

Councilor Clifford stated that Council President was out of order to make that decision by himself. The Council should vote on that decision. Council President Dingee recommended that he should put a motion in writing and submit as Council Rules require and then it can be sent to Committee for a recommendation. Councilor Clifford made a motion for Rule Twenty-Three "Suspension of Rules" to enable the Council to establish a starting grade level for the Town Clerk position.

**Motion:** by Councilor Clifford for Suspension of Rules (Rule #23) for stated purpose  
**Second:** by Councilor DeNapoli  
**Vote:** For (7), Against (2-Randolph, Dingee)

Councilor Ryan made a motion that the Council endorse the starting grade level for the Town Clerk position to be M18-A

**Motion:** by Councilor Ryan as noted

**Second:** by Councilor Randolph

**Discussion:** Town Clerk, Joseph Powers, requested to speak before the Council to make an argument to establish the position at the level he was making back in 2003. He explained when he was the elected Town Clerk in 2000 the position was at the "A" level and then increased to the "E" level in 2002 and 2003. He explained when he submitted his resume he noted that the salary fit between the range he was looking for but was negotiable.

Councilor Randolph commented that he believed the position was to start at the "A" level and especially with the current financial crisis, he would only support starting the position at the "A" level.

Town Clerk Powers remarked that at no point in time was the position advertised starting at the "A" level. Council President Dingee remarked that on the night Mr. Powers was appointed he spoke with him and stated that the position was to start at level "A" and the council had voted previously not to give step increases this year.

Councilor Clifford commented that the position was posted with a range and it would be fitting to do something better than the "A" level. Councilor Clifford then made a motion to to start the position at the Step "B" level. The motion was seconded by Councilor DeNapoli.

Council President Dingee remarked that a motion is already before them to recommend starting the position at step "A".

Councilor DeNapoli asked if the Clerk of the Council received a raise this year. Council President Dingee responded "No".

**Vote:** For (6), Against (3-Clifford, DeNapoli, Kokoros)

### **CORRESPONDENCE**

- **099-09** Council President: Letter from Town of Holbrook

## **ANNOUNCEMENTS**

- **080-09** Councilor Randolph: Thayer Public Library “Evening of Celebration”
- **087-09** Councilor Ryan: Sustainable Braintree – Farmer’s Market
- **092-09** Braintree Recreation Department – Upcoming Trips
- **094-09** Councilor Clifford: BHR Civic Group
- **095-09** Councilor Kokoros: Granite Park Civic Association
- **098-09** Councilor Kokoros: Rotary Club
- - Councilor Joyce: 6<sup>th</sup> Annual PIP Taste of Braintree
- - Councilor Ryan: Fire Chief Retirement

## **APPROVAL OF MINUTES**

**September 15, 2009**

**Motion:** by Councilor Ryan to approve

**Second:** by Councilor Randolph

**Vote:** Unanimous

## **CITIZEN CONCERNS/COUNCIL RESPONSE**

None

## **OLD BUSINESS**

- **09 048** Councilor Bowes – Discussion: Responsible Employer Ordinance #3-120

Councilor Bowes reported that he had met with the Mayor and Town Solicitor on the proposed ordinance and several changes had been recommended. He would like to refer the ordinance back to the Committee on Ordinance & Rules.

**Motion:** by Councilor Ryan to refer to Committee on Ordinance & Rules

**Second:** by Councilor Randolph

**Vote:** Unanimous

## NEW BUSINESS

### REFER TO COMMITTEE

#### **Committee on Ways & Means: Chairman John Mullaney**

- **09 052** Mayor: Request for Line Item Transfers

**Motion:** by Councilor Ryan to refer to Committee on Ways & Means

**Second:** by Councilor Randolph

**Vote:** Unanimous

#### **Committee on Ordinance & Rules: Chairman Ronald DeNapoli**

- **097 09** Councilor DeNapoli: Road Opening Policy

Councilor DeNapoli reported that a Town By-Law on road openings does not exist and he is in the process of drafting. Once completed, he would present for review by the Committee on Ordinance & Rules.

Councilor Ryan commented that this item should come before the DPW Committee. It was agreed that a joint committee meeting be held to review.

**Motion:** by Councilor Ryan to refer hold a joint meeting between the Committee on Ordinance & Rules and the Committee on Public Works to take action on a proposed policy.

**Second:** by Councilor Bowes

**Vote:** Unanimous

## ADJOURNMENT

It was unanimously voted to adjourn the meeting at 8:53 p.m.

Respectfully submitted,  
James M. Casey  
Clerk of the Council